

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9545

IN THE MATTER OF:

Served May 11, 2006

MODUPE AYODEJI ATANDA-OWO, Trading)	Case No. MP-2005-182
as US ONE TRANSPORTATION,)	
Suspension and Investigation of)	
Revocation of Certificate No. 684)	

This matter is before the Commission on respondent's response to Order No. 9195, served December 15, 2005.

Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.¹ Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 684 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 684 became invalid on December 15, 2005, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 9195 noted the automatic suspension of Certificate No. 684 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 684, and gave respondent thirty days to replace the expired endorsement or face revocation of Certificate No. 684. Respondent submitted a \$1.5 million primary WMATC Insurance Endorsement on January 18, 2006. The effective date of the new endorsement is January 16, 2006. This means that respondent was without insurance coverage for thirty-two days, from December 15, 2005, through January 15, 2006.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 684 as directed by Order No. 9195. We will give respondent thirty days to furnish proof that respondent ceased operations as of December 15, 2005. Because respondent's general tariff is for service rendered to the general public, proof that respondent ceased operations

¹ Compact, tit. II, art. XI, § 7(g).

shall be corroborated by evidence from respondent's general business records.²

THEREFORE, IT IS ORDERED:

1. That within thirty days from the date of this order, respondent shall verify it ceased all operations in the Metropolitan District as of December 15, 2005.

2. That within thirty days from the date of this order, respondent shall produce any and all books, papers, correspondence, memoranda, contracts, agreements, and other records and documents, including any and all stored electronically, that are within respondent's possession, custody or control and which relate to the transportation of passengers for hire between points in the Metropolitan District during the period beginning October 1, 2005, and ending on the date of this order, including, but not limited to any and all:

- a. customer contracts and invoices;
- b. invoices from other carriers;
- c. calendars and itineraries;
- d. bank and payroll records;
- e. insurance documents;
- f. advertising materials;
- g. income tax and personal property returns.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, SMITH, AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

² See Compact, tit. II, art. XII, § 1(b) (mandating Commission access to carrier records).